

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 22467 of 2004

Between:

Sri Bashrathuddin Khan, S/o. Late Khwaja Moinuddin Khan,
R/o. 3-6-129, Aziz Gulshan, Hyderguda, Hyd.

..... PETITIONER

AND

- 1 The Prl. Secretary to Govt., Minorities Welfare Dept., (Wakf-I),
Secretariat, Hyderabad. A.P.
- 2 Survey Commissioner of Wakf, A.P., H Block, Secretariat, Hyd.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in not issuing the certified copies as prayed for as ultravires, arbitrary, under 14 and 19 of the Constitution of India, by further directing the respondents to grant certified copies of the documents as sought for in the application dt. 27.11.2004 and grant such other order or orders which this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.KISHORE RAI

Counsel for the Respondents: MR.A.M.QURESHI (SC FOR AP WAKF BOARD)

The Court at the stage of admission made the following ORDER:

The petitioner claims to have submitted representations to the respondents to furnish copies of as many as eight documents and complains that his request has not been acceded to. The petitioner states that he needs the said documents to protect the property of the Wakf from the hands of the land grabbers.

Heard learned counsel for the petitioner and Mr.A.M.Qureshi, learned Standing Counsel for A.P. Wakf Board.

Out of the eight documents, of which the petitioner wanted the certified copies, items 2 to 7 are the copies of the orders passed by the Courts and authorities. They are not part of the record of the respondents. Therefore, the respondents cannot be expected or compelled to furnish the same. So far as items 1 and 8, namely the order of Commissioner of Wakf in File No.CC111/591/65 dated 29-05-1964 and a Gazettee No.27-A dated 12-07-1984 are concerned, they either emanate from the respondents or are part of the records.

In that view of the matter, the writ petition is disposed of directing the respondents to furnish the copies of the said two items namely the order of Commissioner dated 29-06-1964 and the Gazettee No.27-A dated 12-07-1984, within a period of two weeks from today. No order as to costs.

13-12-2004

kdl

To

- 1 The Prl. Secretary to Govt., Minorities Welfare Dept., (Wakf-I),
Secretariat, Hyderabad. A.P.
- 2 Survey Commissioner of Wakf, A.P., H Block, Secretariat, Hyd.
- 3 Two C.D. Copies.